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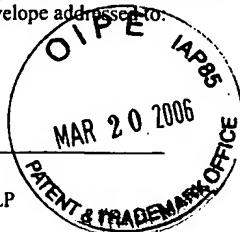
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On March 17, 2006

TOWNSEND and TOWNSEND and CREW LLP

Matilde C. Garza

By: Matilde C. Garza



PATENT
Attorney Docket No.: 16869B-082700US
Client Reference No.: HAL 279

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kenji Yamagami

Application No.: 10/608,391

Filed: June 26, 2003

For: METHOD AND APPARATUS FOR
BACKUP AND RECOVERY SYSTEM
USING STORAGE BASED
JOURNALING

Examiner: Hetul B. Patel

Art Unit: 2186

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the US patent and US publication references are not enclosed. A copy of the cited non-patent article is enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

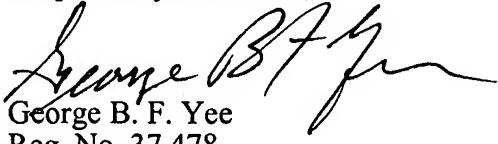
As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


George B. F. Yee
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60727358 v1



Substitute for form 1449A&B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number		10/608,391	
Filing Date		June 26, 2003	
First Named Inventor		Yamagami, Kenji	
Art Unit		2186	
Examiner Name		Hetzl B. Patel	
Sheet	1	of	1
		Attorney Docket Number	
		16869B-082700US	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (<i>If known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-6,397,351	05-28-2002	Miller, et al.	
	AB	US-6,898,668	05-24-2005	Martin, et al.	
	AC	US-2005/0193031	09-01-2005	Midgley, et al.	
	AD	US-6,732,125	05-04-2004	Autrey, et al.	
	AE	US-2004/139128	07-15-2004	Becker, Gregory	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴	Kind Code ⁵ (<i>If known</i>)	
	AF				
	AG				
	AH				
	AI				
	AJ				

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	BA	AberdeenGroup, <u>Continuous Data Protection: Business Continuity for the Era of Networked Storage</u> (July 2003)			<input type="checkbox"/>
	BB				<input type="checkbox"/>
	BC				<input type="checkbox"/>
	BD				<input type="checkbox"/>

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.